

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT ) ACTION AGAINST ) ) International Brotherhood of Electrical ) Workers Local Union No. 46 ) Respondent. ) _____ )	PDC CASE NO: 04-273     STIPULATION OF FACTS AND VIOLATIONS
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The International Brotherhood of Electrical Workers Local Union No. 46 (IBEW Local 46) (Respondent) and the Public Disclosure Commission Staff (Staff) jointly submit this Stipulation of Facts and Violations for Commission consideration in lieu of a full enforcement hearing before the Commission. The parties agree that, pursuant to RCW 42.17.360, the Commission has the authority to accept, decline, or to suggest modifications to this Stipulation. In the interest of avoiding further proceedings, the parties enter this Stipulation.

**Facts**

Both parties agree to the following facts:

1. IBEW Local 46 is a Seattle, Washington based labor organization comprised of electrical workers.
2. IBEW Local 46 was among the clients who retained Richard King, a contract lobbyist, to provide lobbying services in 2001, 2002, and 2003. Mr. King registered as a lobbyist for IBEW Local 46 on January 10, 2001, and re-registered on January 17, 2003.

3. As a lobbyist employer, IBEW Local 46 was required to report contributions it made to candidates and ballot issues. IBEW Local 46 was also required to file special reports within 24 hours of making contributions to a single entity that exceeded \$500 during the 21 days prior to a general election.
4. During the latter part of May 2003, IBEW Local 46's legal counsel, James D. Oswald, contacted Susan Harris, PDC's Assistant Director, and asked that a meeting be scheduled so that Mr. Oswald could discuss the IBEW Local 46's lack of reporting. He explained that IBEW Local 46 was under new administration. As part of the new administration's review of the Local's administration and practices, it had learned that required reports had not been filed in recent years, and wished to bring the Local into compliance.
5. On June 11, 2003, Mr. Oswald and Gary Price, IBEW Local 46's new business manager, met with Ms. Harris and Phil Stutzman, PDC's Director of Compliance. Mr. Oswald presented staff with a spreadsheet of unreported activities of IBEW Local 46 covering 2001, 2002 and 2003.
6. Mr. Price acknowledged that, as a lobbyist employer, IBEW Local 46 failed to timely file monthly L-3c reports reflecting \$17,550 in contributions it made to 40 statewide, legislative and local candidates or ballot issues over the three years beginning in 2001. Specifically, IBEW Local 46 failed to timely file the following:
  - a. One monthly report in 2001 totaling \$5,000
  - b. Two monthly reports in 2002 totaling \$11,450
  - c. Two monthly reports in 2003 totaling \$1,100

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The reports were filed with PDC on July 18, 2003.

7. In addition, IBEW Local 46 failed to include \$13,650 in contributions it made to two statewide ballot issues and 31 legislative candidates on its annual L-3 reports filed in 2002 and 2003. Specifically, IBEW Local 46 failed to include the following:

- a. Three contributions made in 2001 totaling \$2,200 (report due by February 28, 2002)
- b. 30 contributions made in 2002 totaling \$11,450 (report due by February 28, 2003)

These contributions are included in the \$17,550 discussed above.

The amended L-3 reports were filed with the PDC on July 18, 2003.

8. IBEW Local 46 made six contributions totaling \$3,400 between October 16, 2001 and November 5, 2001 and failed to file special reports within 24 hours of making those contributions.
9. The matter was originally scheduled for a brief enforcement hearing. During that proceeding, the Commission Chair determined that the matter regarding IBEW Local 46 should be reviewed and acted upon by the full Commission.

### **Violations**

Respondent and Staff agree that based upon the facts stipulated above, the Respondent committed multiple violations of RCW 42.17.180 by failing to timely report contributions it made to candidates and ballot issues during 2001, 2002 and 2003, and committed multiple violations of RCW 42.17.175 by failing to file special reports within

24 hours of making contributions that exceeded \$500 to candidates or ballot issues during the 21 day period prior to the 2001 general election.

The Respondent agrees to fully comply in good faith with all provisions of Chapter 42.17 RCW in the future.

Respectfully submitted this 10<sup>th</sup> day of December, 2003.

/s/

12/10/03

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Vicki Rippie, Executive Director

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Date

/s/

12/10/03

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James D. Oswald  
Counsel for Respondent

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Date

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